

Il controllo di dati e macchine nei monopoli agroalimentari

«La governance dei dati
nell'agricoltura digitalizzata»

Università di Torino – Sede Universitaria "Ex Mater Amabilis» - Cuneo

21.05.2025

Roberto Caso

Tim Wu: La maledizione dei giganti 2020-2021

- «Saltiamo rapidamente al 2018 e vediamo che la **Bayer** ha comprato la **Monsanto**, il gigante americano della chimica, al fine di creare la più grande azienda combinata di **semenze, fertilizzanti e prodotti chimici**. Dopo la fusione tra **Dow e DuPont** (entrambe imprese statunitensi) e l'acquisizione di **Syngenta** da parte di **ChemChina**, si è formato così un oligopolio globale della chimica. [...]».



A sunset scene with several military helicopters flying in formation over a tropical coastline with palm trees. The sky is a deep orange and yellow, and the silhouettes of the helicopters and palm trees are visible against the bright background.

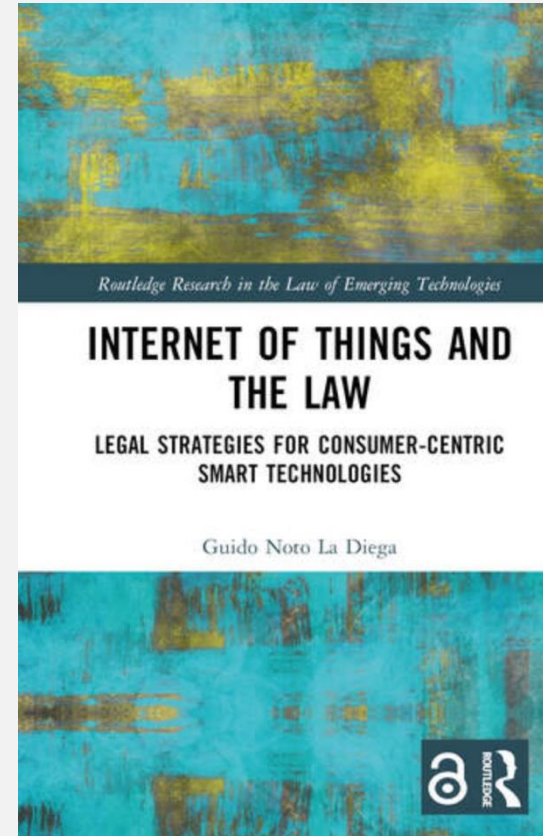
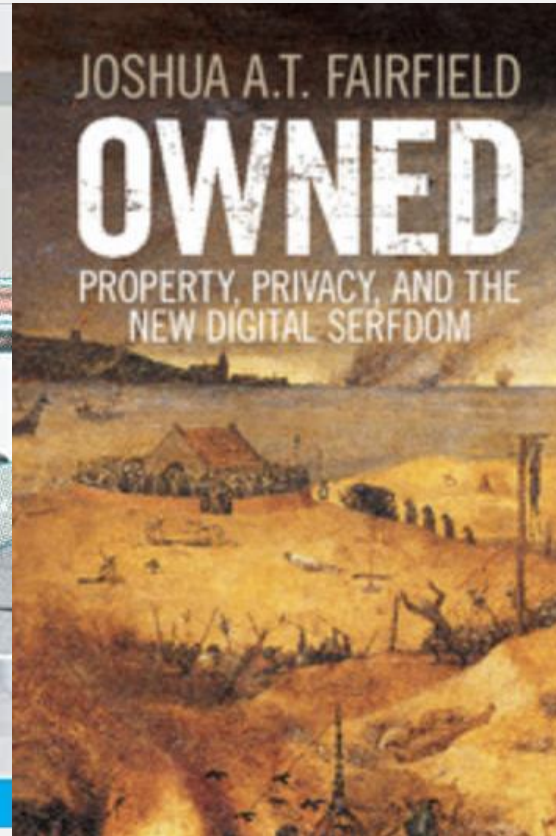
Intellectual Property (WIPO, WTO etc.): una categoria occidentale alla conquista del mondo

La pseudo-proprietà intellettuale

- Contratto
- Tecnologia
- Dati e informazioni

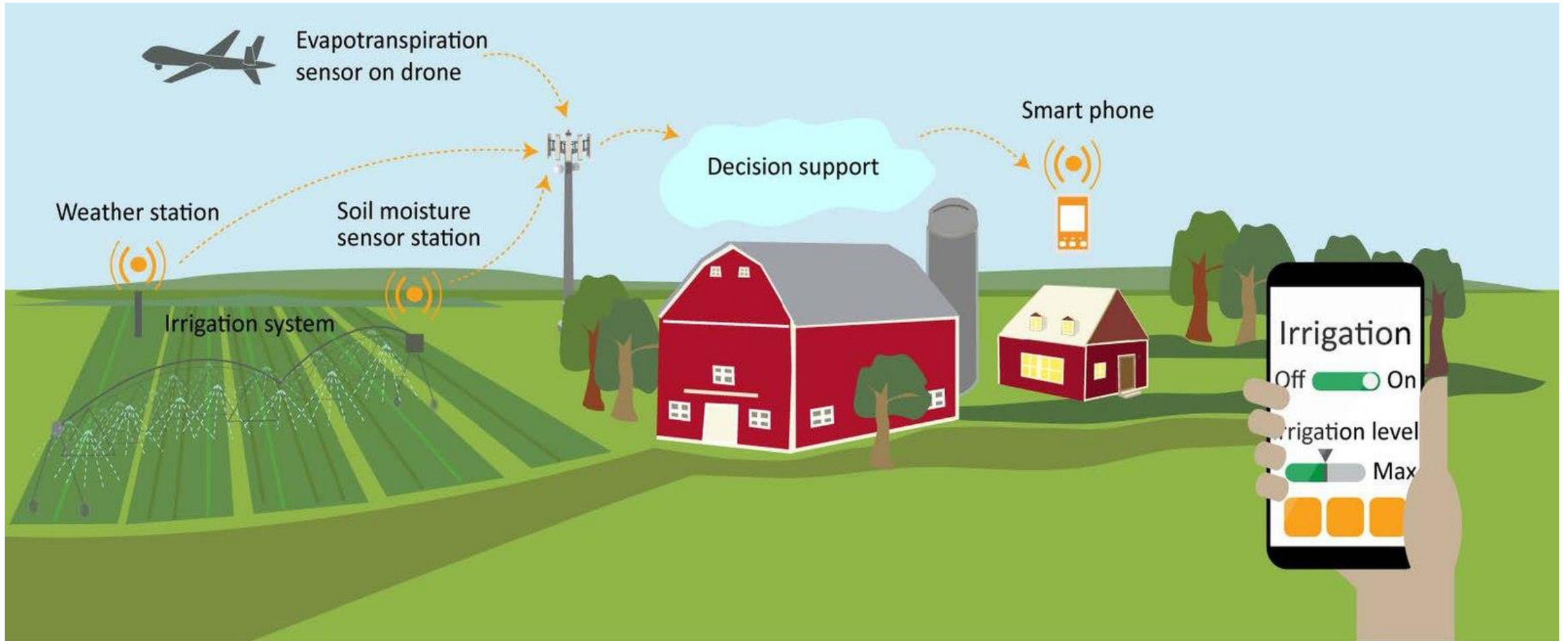


Il lato oscuro della dicotomia: materiale/immateriale



Misure Tecnologiche di Protezione e diritti d'autore: paracopyright

- Divieto di produrre e commercializzare tecnologie principalmente finalizzate all'elusione
- Dal controllo dell'opera al controllo della macchina
- Problemi di abuso monopolistico del diritto d'autore



Source: GAO. | GAO-20-128SP

[https://commons.wikimedia.org/wiki/File:Figure_16_Components_of_a_Precision_Agriculture_System_\(49132514563\).jpg](https://commons.wikimedia.org/wiki/File:Figure_16_Components_of_a_Precision_Agriculture_System_(49132514563).jpg)

Smart agriculture, TPMs, big data

Received: 28 April 2021 | Revised: 19 November 2021 | Accepted: 22 November 2021

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SPECIAL ISSUE

Surveillance agriculture and peasant autonomy

Glenn Davis Stone 

Journal of
Agrarian Change WILEY

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John Deere's Attempted Monopolization of Equipment Repair, and the Digital Agricultural Data Market - Who Will Stand Up for American Farmers?

CPI Antitrust Chronicle, Jan. 2020, at 2

8 Pages • Posted: 17 Mar 2020

Thomas Jeff

University of So

Dylan Kirch

University of So

Date Written:

IIC

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ARTICLE

Tractor Rage: Intellectual Property, Agriculture, Competition Policy, and the Right to Repair

Matthew Rimmer 

Accepted: 21 October 2024

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Big Tech and the Smartification of Agriculture: A Critical Perspective

Felix Maschewski and Anna-Verena Nosthoff¹

Roberto Caso - Insostenibile leggerezza - Devolution Clu
Roma - 2025

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Consumer Perceptions of the Right to Repair

Indiana Law Journal, Forthcoming

Case Legal Studies Research Paper No. 2020-25

36 Pages • Posted: 11 Nov 2020 • Last revised: 16 Nov 2020

Aaron Perzanowski

University of Michigan Law School

Date Written: April 24, 2020

Abstract

Device makers from Apple to John Deere have adopted strategies to thwart the repair of the products they sell. In response, state legislatures across the country are considering bills that would require firms to share replacement parts, tools, software updates, and documentation with independent repair shops and consumers. Beyond those legislative proposals, the policy battle over repair extends to courts, administrative agencies, and even presidential campaigns. In part, the repair debate turns on two very different conceptions of consumer attitudes and expectations. Do consumers prefer the convenience and simplicity of replacing their devices when something goes wrong? Or do they expect and value the ability to repair the things they own? This Article presents the results of a nationwide survey of consumers of electronic devices and explores its implications for the burgeoning right to repair movement.

Keywords: right to repair, copyright, patent, trademark, consumer protection

Suggested Citation:

Hugh F. Williamson
Sabina Leonelli
Editors

Towards Responsible Plant Data Linkage: Data Challenges for Agricultural Research and Development

Anthony D. Rosborough

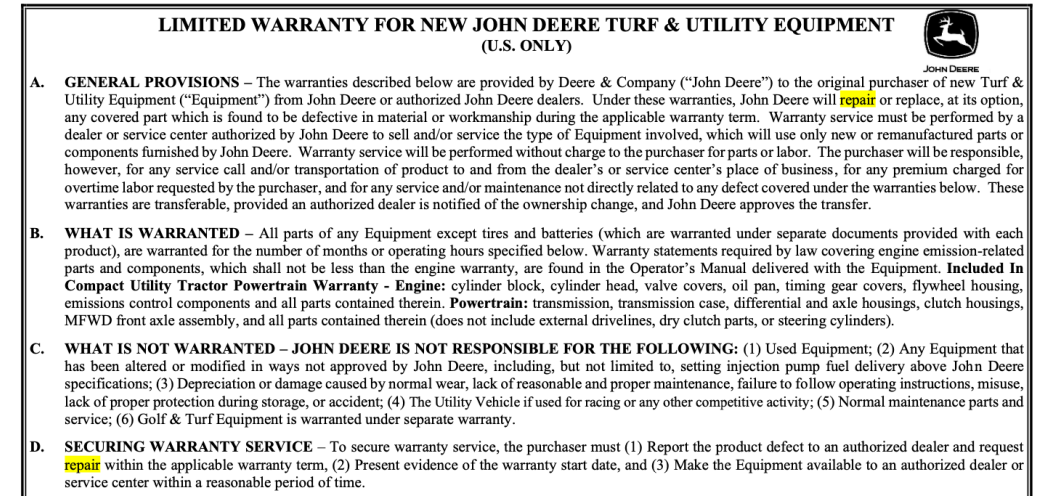
Unscrewing the Future: The Right to Repair and the Circumvention of Software TPMs in the EU

by Anthony D. Rosborough*

 Springer

John Deere

- SECURING WARRANTY SERVICE –
To secure warranty service, the purchaser must (1) Report the product defect to an authorized dealer and request repair within the applicable warranty term, (2) Present evidence of the warranty start date, and (3) Make the Equipment available to an authorized dealer or service center within a reasonable period of time.



Tre scenari per difendere gli agricoltori (M. Ferrari 2023)

- **Negoziazione** con i fornitori di servizi digitali viene condotta per conto degli agricoltori da **associazioni**
- I **servizi digitali** in agricoltura vengono forniti da **cooperative di produttori**
- Infrastrutture basate su **standard e sistemi aperti e interoperabili**

Fronti di intervento a monte

- **Apertura di software**, dati e formati → interoperabilità, right to repair ecc.
- **Infrastrutture pubbliche** e no profit
- **Argine giuridico al monopolio** a cominciare dalla proprietà intellettuale e dalla pseudo-proprietà intellettuale (una questione internazionale, prima che nazionale); right to repair come limite alla proprietà intellettuale

Rapporto Draghi (2024): competitività (innovazione) vs diritti fondamentali?

- Part B, p. 79: «As in global AI competition ‘winner takes most’ dynamics are already prevailing, the EU faces now an unavoidable trade-off between stronger ex ante regulatory safeguards for fundamental rights and product safety, and more regulatory light-handed rules to promote EU investment and innovation, e.g. through sandboxing, without lowering consumer standards.



The Winner Takes It All (Meryl Streep) | Mamma Mia! (2008) | TUNE



The European Union is
at a crossroads

MIPGA or...

MIPGA:

Make Intellectual Property Great Again



MIPGA: <https://www.whitehouse.gov/presidential-actions/2025/04/world-intellectual-property-day-2025/>

- April 26, 2025: «The future of our great Nation depends on the **continued safeguarding of our intellectual property**, which fuels economic growth, technological progress, and global competitiveness. This World Intellectual Property Day, we reaffirm our unwavering commitment to protecting and promoting the innovative spirit that continues to make America great».



... MPIGA?

- Make Public Interest Great Again



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Roberto Caso

E-mail:

roberto.caso@unitn.it

Web:

<http://www5.unitn.it/People/it/Web/Persona/PER0000633#INFO>

<http://lawtech.jus.unitn.it/>

<https://www.robertocaso.it/>

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